

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

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|---|---|----------------------------|
| REKELL S. MOORE and ALFRED | : | |
| L. COLE, SR., natural parents of Alfred | : | |
| Cole Jr., deceased, | : | |
| | : | |
| Plaintiffs, | : | |
| | : | |
| v. | : | CASE NO.: 7:25-CV-23 (WLS) |
| | : | |
| THOMAS COUNTY SHERIFF TIM | : | |
| WATKINS, in his official capacity, | : | |
| JAMES AUSTIN VICK, and JEFFREY | : | |
| COLE STANALAND, | : | |
| | : | |
| Defendants. | : | |
| | : | |

ORDER

Before the Court is the Parties' Consent Motion for Briefing Schedule (Doc. 12), filed on April 17, 2025. Therein, the Parties explain that on March 27, 2025, Defendants filed a Motion to Dismiss (Doc. 10) Plaintiffs' Complaint. Then, on April 17, 2025, Plaintiffs filed their first Amended Complaint (Doc. 11), which the Parties acknowledge renders Defendants' Motion to Dismiss moot. (Doc. 12 at 1–2). In light of this, the Parties state that they have consulted and agreed upon a proposed briefing schedule, taking into account Defendant's choice to file a new motion to dismiss or an answer to the Amended Complaint. (*Id.* at 2). The Parties therefore request that the Court approve the proposed briefing schedule.

As an initial matter, the Court agrees that an amended complaint supersedes the original complaint, and therefore renders moot any motion to dismiss that complaint. *E.g., Dresdner Bank AG v. M/V Olympia Voyager*, 463 F.3d 1210, 1215 (11th Cir. 2006). Accordingly, Defendants' Motion to Dismiss (Doc. 10) is **DENIED-AS-MOOT**.

Additionally, for good cause shown, the Parties' Consent Motion (Doc. 12) is **GRANTED**. It is thus **ORDERED** that:

1. Defendants' renewed Motion to Dismiss (or, in the alternative, their answers) shall be due on or before **Monday, May 19, 2025**.

2. Plaintiffs' may file a response to a renewed motion, in the event one is filed, **within twenty (21) days** of the filing of the renewed motion.
3. Defendants' may file a reply to Plaintiffs' response, in the event one is filed, **within fourteen (14) days** of the filing of said response.

SO ORDERED, this 21st day of April 2025.

/s/ W. Louis Sands
W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT